

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JEFFREY L. HARDIE

Plaintiff,

V.

SCOTT RUSSELL, et al.,

## Defendants.

CASE NO. C13-5152 BHS

## ORDER ADOPTING REPORT AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”)

of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 9). The

Court having considered the R&R and the remaining record, and no objections having

been filed, does hereby find and order as follows:

(1) The R&R is **ADOPTED**:

(2) This action is **DISMISSED without prejudice**. Plaintiff's motion to proceed *in forma pauperis* (Dkt. 1) and all other pending motions, including Plaintiff's motion for the appointment of counsel (Dkt. 7) are **DENIED**.

Dated this 30th day of May, 2013.

  
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BENJAMIN H. SETTLE  
United States District Judge